

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John C. Harvey and James W. Cuddihy:

Serial No.: 08/397,636

Filed: March 2, 1995

For: **SIGNAL PROCESSING APPARATUS
AND METHODS**

Group Art Unit: 2737

Examiner: FAILE, A.

Atty. Docket: 05634.0012

TRANSMITTAL LETTER

BOX: Fee Amendment

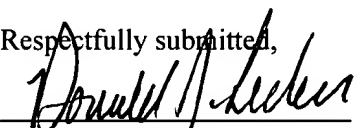
Assistant Commissioner of Patents
Washington, D.C. 20231

- [X] Information Disclosure Statement;
[X] PTO Form 1449;
[X] Hunton & Williams Check No. 2041737 for \$240.00 in payment of the fee under 37 C.F.R. § 1.17(p).
[X] The Commissioner is hereby authorized to charge any additional fees, or credit any overpayment to Deposit Account No. 50-0206.
 [x] Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
 [x] Any patent application processing fees under 37 CFR 1.17.

Date: August 10, 2000
HUNTON & WILLIAMS
1900 K Street, NW,
12th Floor
Washington, D.C. 20006

A: DATA-12 '81

Respectfully submitted,


Thomas J. Scott, Jr.
Registration No. 27,836
Donald J. Lecher
Registration No. 41,933
Attorneys for Applicants
Tel: (202) 955-1938

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INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants submit this IDS in response to the PTO's newly recited prior art references in certain Office Actions of related co-pending applications mailed to Applicants during the spring of 2000. Applicants provide this IDS in each of Applicants' related copending applications so that the prior art record will be consistent throughout these applications. In addition to the references cited by the PTO, three references: Butler et al., U.S. Pat. No. 4,647,804; Great Britain Patent No. 1,515,309; and European Patent No. 187,417, were cited by the European Patent Office.

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing

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date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited by or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

Applicants have checked the appropriate boxes below.

- ☐ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No statement under 37 C.F.R. § 1.97(e) or fee is required.
- ☒ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
 - ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

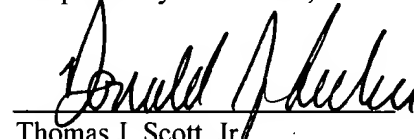
- ☒ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☒ c. Attached is our Check No. 2041737 in the amount of \$ 240.00 in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. It is hereby requested that the Information Disclosure Statement be considered. Attached is our Check No. - _____ in the amount of _____ in payment of the fee under 37 C.F.R. § 1.17(i).
- ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 4. Relevance of the non-English language document(s) is discussed in the present specification.

- [] 5. The document(s) was/were cited in a corresponding foreign application. An English language version of the foreign search report is attached for the Examiner's information.
- [] 6. A concise explanation of the relevance of the non-English language document(s) appears below:
- [X] 7. The Examiner's attention is directed to Applicants' related co-pending U.S. Patent Applications (as previously listed under a separate submission in this application) which are directed to related technical subject matter. The identification of these U.S. Patent Applications is not to be construed as a waiver of secrecy as to these applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during examination.
- [X] 8. Copies of the documents ~~were submitted on April 10, 1998 to the Office in Application No. 08/113,329 filed September 30, 1993, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are~~ attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 50-0206.

Respectfully submitted,



Thomas J. Scott, Jr.
Registration No. 27,836
Donald J. Lecher
Registration No. 41,933
Attorneys for Applicants
Tel: (202) 955-1938

Date: August 10, 2000
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT CITATION FORM	Attorney Docket No.	Serial No.
	05634.0012	08/397,636
	Applicant(s) John C. Harvey and James W. Cuddihy	
	Filing Date March 2, 1995	Group Art Unit 2737

UNITED STATES PATENT DOCUMENTS

EXAMINER INITIAL	PATENT NUMBER	PATENT DATE	NAME	CLASS/ SUBCLASS	FILING DATE*
	3,627,914	December 14, 1971	Davis	178/5.8	September 4, 1969
	3,761,888	September 25, 1973	Flynn	340/172.5	August 3, 1972
	4,199,791	April 22, 1980	Corey	360/69	April 17, 1978
	4,290,142	September 1, 1981	Schnee et al.	455/3.1	
	4,390,901	June 28, 1983	Keiser	358/147	October 16, 1980
	4,547,804	October 1, 1985	Greenberg	348/460	March 21, 1983
	4,647,974	March 3, 1998	Butler et al.	358/185	April 12, 1985
	4,725,886	February 1, 1988	Galumbeck et al.	348/461	April 21, 1983

* If Pertinent

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION	
					YES	NO
	1,515,309	June 21, 1978	Great Britain	G06 K 15/20		X
	0 187 417	July 16, 1986	European	H04 N 7/087		X
	AUS74,619	April 29, 1976	Australia			X
	DE2,904,891		Germany			X
	GB1,556,366	November 21, 1979	Great Britain			X
	GB959,274	May 27, 1964	Great Britain			X
	WO 80/02093	March 28, 1979	PCT			X

OTHER DOCUMENTS

Examiner Initial	Date, Author, Title, Pertinent Pages, Etc.		
	February 1, 1979	Schiller et al.,	CATV Program Origination and Production
	May 8, 1981	Kamishima, et al.	A Monitor Device of a Switcher System
	April 1, 1979	Kazama et al.	Automatic Storage and Retrieval of Videotaped Programs
		Yamane et al.	System and Apparatus for Automatic Monitoring Control of Broadcast Circuits
	November 1, 1959	Marsden	Master Control Techniques
	January 1, 1959	Byloff	Automatic Control of Video Tape Equipment at NBC, Burbank
	March 1, 1981	Skilton	The Digitrol 2 - Automatic VTR Programme Control
	January 1, 1969	Zetl	Television Production Handbook
	May 22, 1975	Diederich	Electronic Image and Tone Return Equipment With Switching System and Remote Control Receiver for Television Decoder
		Stern, et al.	An Automated Programming Control System for Cable TV

Examiner Initial	Date, Author, Title, Pertinent Pages, Etc.		
	September 1, 1976	Barlow	Automatic Switching in the CBC - An Update
	September 1, 1971	Anderson	The Vertical Interval: A General-Purpose Transmission Path
	November 1, 1975	Gaucher, et al.	Automatic Program Recording System

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).	